

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

JUDGE JONES

KAPLAN, INC. and DF Institute, Inc. d/b/a KAPLAN  
SCHWESER

*Plaintiff*

v.

[Added Rider]

*Defendant*

12 CV

Civil Action No.

3565

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*) POFS, LLC  
5446 WHITTEN DRIVE  
NAPLES, FL 34104

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michelle Mancino Marsh  
Aaron D. Johnson  
Mimi K. Rupp  
KENYON & KENYON LLP  
One Broadway  
New York, NY 10004

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT



Date: \_\_\_\_\_

MAY 04 2012

Signature of Clerk or Deputy Clerk

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* POFS, LLC  
 was received by me on *(date)* 05/13/2012.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Peter Olinto, Member, who is  
 designated by law to accept service of process on behalf of *(name of organization)* POFS, LLC  
 at 14 Felkay Court, Kinnelon, NJ 07405 on *(date)* 05/13/2012; or

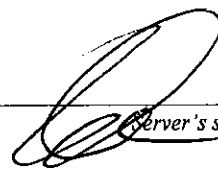
☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: Please see below for a complete list of documents served on Mr. Olinto

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 5/22/12



*Server's signature*

Danny Callahan, Process Server

*Printed name and title*

Callahan Lawyers Service  
50 Main Street  
Hackensack, NJ 07601

*Server's address*

Additional information regarding attempted service, etc:

DOCUMENTS SERVED: Summons, Plaintiffs' Rule 7.1 Statement, Civil Cover Sheet, Complaint-Exhibits (Redacted), Complaint (Redacted), Declaration of Mimi K. Rupp - Exhibits A and B, Proposed Order to Show Cause, Order to Show Cause for PI, Individual Practices of Judge Barbara S. Jones, Individual Practices of Mag. Judge Gorenstein, SDNY ECF Rules and Instructions, Motion to Seal, Proposed Order to Seal, Motion to Seal re TRO, Proposed Order to Seal, TRO Memo of Law, Declaration of Andrew C. Temte (Redacted), Declaration of Andrew C. Temte - Exhibits B-L, Declaration of Mimi K. Rupp

Added Rider for Summons

The complete caption for this action is:

KAPLAN, INC. and DF INSTITUTE, INC.  
d/b/a/ KAPLAN SCHWESER,

Plaintiffs,

v.

OLINTO, LLC; PETER OLINTO; FRANK  
STALLA; POFS, LLC d/b/a OLINTO REVIEW;  
and CHARTER CONTENT SOLUTIONS, LLC,

Defendants.